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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,989	12/06/2001	Thomas Wespel	WESPEL (PCT)	3308

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Collard & Roe
1077 Northern Boulevard
Roslyn, NY 11576-1696

EXAMINER

LU, CHARLES EDWARD

ART UNIT	PAPER NUMBER
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2163

DATE MAILED: 09/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/980,989

Applicant(s)

WESPEL, THOMAS

Examiner

Charles E. Lu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/6/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-22 have been submitted for examination.
2. Claims 1-11 have been cancelled via preliminary amendment dated 12/6/2001.
3. Claims 12-22 are now pending and have been rejected.

Drawings

4. The drawings are objected to because of the following informalities:

In fig. 1, it is unclear how access rights are stored.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The abstract of the disclosure is objected to because of the following informalities:

In line 14, the text "Fig. 1" should be removed.

6. The specification is objected to because of the following informalities:

The title of the invention is neither precise nor descriptive. A new title is required which should include, using twenty words or fewer, claimed features that differentiate the invention from the prior art. It is recommended that the title should reflect the gist of or the improvement of the present invention.

The specification does not follow the recommended outline as discussed below:

- (a) Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.
- (b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.
- (c) Statement Regarding Federally Sponsored Research and Development: See MPEP § 310.
- (d) The Names Of The Parties To A Joint Research Agreement: See 37 CFR 1.71(g).
- (e) Incorporation-By-Reference Of Material Submitted On a Compact Disc: The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.

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Or alternatively, Reference to a "Microfiche Appendix": See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.

- (f) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:
 - (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."
 - (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."
- (g) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.
- (h) Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.
- (i) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.
- (j) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet or electronic page (37 CFR 1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).
- (k) Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate

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sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).

- (I) Sequence Listing. See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02.

A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. Applicant should be careful not to introduce any new matter into the disclosure (i.e., matter which is not supported by the disclosure as originally filed). The substitute specification filed must be accompanied by a statement stating that the specification contains no new matter.

Appropriate corrections are required.

Claim Objections

7. Claims 12 and 14 are objected to because of the following informalities:

As to claim 12, lines 9-11, it is suggested that "(IO controller)", "on the one hand" and "on the other hand" are removed.

As to claim 14, line 5, the word "selection" is misspelled.

Appropriate corrections are required.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claims 12-22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter that was not described in the specification in such a way as to enable one of ordinary skill in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

35 U.S.C. 112, first paragraph requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms that are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are discussed below, with respect to their use in the claims. The discussion should not be taken as an exhaustive explanation of all of the deficiencies in the specification.

As to claim 12, the required access filter provided between the working memory, the media unit, and the network control unit, is mentioned in the specification (e.g., abstract, page 3, paragraph 2), but the specification merely restates the claim and provides no sufficient explanation of the arrangement. Accordingly, the specification does not explain to one of ordinary skill in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention as claimed in claim 12.

As to claim 13, the required collective definitions is mentioned starting from page 5, paragraph 4 of the specification as "given for all directories and files," but the specification does not sufficiently explain how the collective definitions relate to the required dummy characters or jokers inputtable into the system, nor how a collective

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definition relates to the use of a "definition" as mentioned starting from page 3, paragraph 5. Furthermore, no sufficient explanation of the term "hitting" as used in page 5, paragraph 5, is provided. Accordingly, the specification does not explain to one of ordinary skill in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention as claimed in claim 13.

As to claim 14, the required hierarchical arrangement of access rights is mentioned starting from page 6, paragraph 1 of the specification, but the specification merely restates the claim and provides no sufficient explanation of the arrangement. Furthermore, claim 14 possesses the deficiency as discussed for claim 13 regarding the term "collective definitions." Accordingly, the specification does not explain to one of ordinary skill in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention as claimed in claim 14.

Claims 15 and 16 inherit the deficiencies from claim 14, and are rejected at least for the same reasons as discussed in claim 14.

As to claims 17 and 18, the required granting of access rights and bi-directional communication is mentioned in page 7 of the specification, but the specification merely restates the claims and provides no sufficient explanation of the above terms. Furthermore, parent claim 12 does not require granting of access rights, but rather the defining of access rights. Therefore there is no apparent connection between the invention as claimed in dependent claims 17 and 18 and the invention of parent claim 12. Accordingly, the specification does not explain to one of ordinary skill in the art to

which it pertains, or with which it is most nearly connected, to make and/or use the invention as claimed in claims 17 and 18.

Claims 19-22 inherit the deficiencies from claim 12, and are rejected at least for the same reasons as discussed in claim 12.

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claims 12-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform to current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

As to claim 12, it is unclear what is meant by having the access filter positioned between the working memory, and the media and network control units. The broadest reasonable interpretation in light of the specification has been given to the claim.

As to claim 13, it is unclear what is meant by the use of quotes in the claimed collective definitions. Additionally, it is unclear what is meant by a collective definition. Furthermore, it is unclear what is meant by hitting all definitions. Furthermore, claim 13 inherits the deficiencies from claim 12. Accordingly, the metes and bounds of claim 13 cannot be determined, and a search of the prior art by the examiner cannot be made for claim 13.

As to claim 14, it is unclear what is meant by the claimed hierarchical arrangement of access rights, as well as a collective definition. Claim 14 also inherits the deficiencies from claim 12. Claim 14 is also unclear due to the sentence structure and use of punctuation. Accordingly, the metes and bounds of claim 14 cannot be determined, and a search of the prior art by the examiner cannot be made for claim 14.

Claims 15 and 16 inherit the deficiencies of claim 14, and accordingly, the metes and bounds of claims 15 and 16 cannot be determined, and a search of the prior art by the examiner cannot be made for claims 15 and 16.

Additionally, as to claim 16, the use of "and/or" renders the claim indefinite because it is unclear whether the claim requires "and" or "or."

As to claim 17, there is insufficient antecedent basis for the limitation "the grant of access rights." Additionally, it is unclear what is meant by the grant of access rights, effected bi-directionally. Furthermore, claim 17 inherits the deficiencies from claim 12. Accordingly, the metes and bounds of claim 17 cannot be determined, and a search of the prior art by the examiner cannot be made for claim 17.

Claim 18 inherits the deficiencies of claim 17, and accordingly, the metes and bounds of claim 18 cannot be determined, and a search of the prior art by the examiner cannot be made for claim 18.

Claims 19-22 inherit the deficiencies of claim 12 and are also rejected under 35 U.S.C. 112, second paragraph.

The deficiencies listed above should not be taken as an exhaustive list of deficiencies for the claims. Applicant is required to review and amend all claims accordingly.

The art rejection of claims 12 and 19-22 is applied as best understood in light of the rejection under 35 U.S.C. 112, second paragraph, as discussed above.

Art rejection is not being applied to claims 13-18 because the limitations cannot be ascertained, as discussed above.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 12, and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glasser et al (U.S. Patent 5,956,715).

As to claims 12, 21, and 22, Glasser teaches a data processing system (fig. 2A, #120) having a processor unit (122) and a media unit (121), an input unit for inputting data as a keyboard device (126), and an output unit for outputting data as a monitor device (128) as well as a network control unit (124) and a bi-directional interface (fig. 1, #110, col. 5, ll. 19-23, 52-54) for networking the data processing system (fig. 2A, #120) with a plurality of interconnected data processing systems (fig. 1, #130, 140), as well as

an access filter (at least #166, 167, 168, 169, and 170 of fig. 2B) for defining access rights (col. 4, ll. 60-67) for data stored on the media unit (fig. 1, #121). The access filter is provided in an input-output controller, such as operating system 150 of the data processing system 120, to receive and transmit data.

Glasser does not expressly teach that the access filter is provided between the working memory and the media and network control units.

However, the access filter in fig. 2B is provided in operating system 150 located in memory 123, which logically controls data flow between the memory 123, media unit 121, and network control unit 124. This suggests that the access filter is provided between working memory, and media and network control units, at least for data transfer.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Glasser with the above teachings, such that the access filter is provided between the working memory and the media and network control units. The motivation would have been to adapt to the user's requirements in setting up the system.

As to claims 19 and 20, the modified system of Glasser teaches the limitations of parent claim 12, as stated above.

Glasser does not expressly teach wherein the plurality of interconnected data processing systems are formed by a local intranet, or the world-wide Internet.

However, Glasser teaches wherein computers can be connected via a local area network (col. 3, l. 32). This suggests that the computer connections can be formed by a local intranet or the worldwide Internet.

Additionally, the examiner takes official notice that it is conventional that computer connections are formed by a local intranet or worldwide Internet.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the system of Glasser to include the above teachings, such that the plurality of interconnected data processing systems are formed by a local intranet, or the world-wide Internet. The motivation would have been to adapt to the user's requirements in setting up the system.

Conclusion


14. The following prior art cited on the PTO-892 form, not relied upon, is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Lu whose telephone number is (571) 272-8594. The examiner can normally be reached on 8:30 - 5:00; M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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